(45)

Previous references.

not Pro: No 109, d/ ~~File no 2 S. W.~~ 1902-3.
Police 54-97
67-99.

~~1902-3.~~

(III - Police.)

File No. ~~45~~ 46
of 1902-03.
1-5.

Later references.

Police 47-12

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 5

PART B FOR January 1905

SUBJECT.

Right of the Lingayats of Chennagiri to
set up th

FILE No. ~~158~~ 46 of 1902-03.

Right of the Lingayats of Channagiri to set up the Kama idol.

1 Petition, dated 20th April 1903, from Thimmannachar and other Brahmins of Channagiri.
Appeal against the order of the District Magistrate of Shimoga, permitting the Lingayats to set up a Kama image in a private building, which, the petitioners state, is contrary to mamool. (With 8 enclosures.)

2 Official Memorandum No. 1885—J. M., dated 27th May 1903, to the District Magistrate, Shimoga.
Forwards the above petition and its enclosures, for resubmission to Government with the records connected with the case and a full report of the facts thereof.

3 Letter No. 457—33, dated 23rd February 1904, from the District Magistrate, Shimoga.
Submits a report on the facts connected with the case, and the records relating thereto, together with the petition and enclosures sent to him with Serial No. 2.

4 Government Proceedings No. J. 2017—26, dated 25th January 1905, to the Deputy Commissioner, Shimoga District, the Deputy Commissioners of other Districts, the Inspector General of Police and the Muzrai Secretary.
Rejects the appeal of the Brahmins on the ground that their contention is unreasonable and cannot be accepted, for the reason, among others, that the privilege they claim is not a *positive* one which they have to enjoy, but is a *negative* one of placing another community under a permanent disability not founded upon any royal license of exclusiveness.

To Thimmannachar and other Brahmins of Channagiri, No. 2027—J., dated 25th January 1905.
Rejects their appeal as their contention is unreasonable and cannot be accepted.

Indexed
Mysore Muzrai Dept

File No 1884/1902 03
46

Serial No 2 — Draft issued —

Serial No 3. 11. The Dt Magte now submits the records and a full report in the case. All the important facts contained in the various records are incorporated in the Dt Magte's report.

12. In conclusion, the Dt Magte states that the present dispute between the Lingayets and Brahmans of Shemoga closely resembles the dispute between the Lingayets and Beraiahs and of Holé'Honnur which was finally disposed of by Govt order No 1655 dated 16575 / 1650 12th June 1901.

Copy in the Secret file up.

13. The dispute between the Brahmans and Lingayets of Holé'honnur has ordered to be submitted at my next (paperre) the last Dussorah, for personal discussion with Mr P. Shetty, the then Dy. Comr Shimoga, but as that was on leave, no discussion took place and no further orders were passed.—

Submitted for orders

H.
7/8/07

File No 158 of 1902-03

14 The facts are clearly enough stated in the Dt Magistrate's report. It shows that the manner of against the Lingayat either ~~the letting~~ getting up a Rama image or Cattle go in procession through the streets. In the former respect, however, the manner has been relaxed since 1902 to the extent of permitting the Lingayats to set up and worship the image in some place which is not a public one or visible ~~from~~ to public view. I think this relaxation may be accepted, as it is likely to afford a practical mode of settling this troublesome & long-disputed question, the situation as other respects remaining as before. The Dt Magistrate may be requested to see that this arrangement is strictly carried out in future, no violation being permitted thereafter, parties aggrieved by a change being reasonably referred to the Civil Courts for establishing their claims, as contemplated in Govt Order No 05 dt 12-2-93.

4.3.04

Secy,

Submitted to the Revenue Member through the 2nd Member 5/3/04.

File No 750 1902-03.

OFFICE OF THE DEWAN OF MYSORE,

(REVENUE AND GENERAL DEPARTMENTS).

File No 758 of 1902-03.

46

(Full Office Note.)

1. Statement of case in narrative form in regular sequence of subject matter or date.
2. Opinions to be stated only as supported by precedents, or general rules which should always be quoted.
3. Serial numbers in file, &c., to be always stated.
4. Dates of important documents referred should be given.
5. Write on both sides, leaving the same side as margin.

1. No. and date of latest letter or paper.
2. Catch words to show nature of subject.
3. Subject to be in red and body of note in black ink.

Vernacular file Inside no. 9 E

Subject. Appeal

* Petition Regd No 2612 / J. 2405 dated 20th April 1903 from Dimmanna-char and other Brahmins of Chenna-giri submitting an appeal against the order of the Dt Magte in the matter of the Kama idol set up by the Lingayets at the place, contrary to Hamlet.

Note.

† The Brahmans of Chennagiri appeal against the following order of the District Magte:—

"Read:— your Petition dated 26th May 1902 stating that the Lingayets have set up a Kama idol in one of the stables in the Petta against Hamlet and complaining that their Kama festivities etc cannot be conducted unless the said Kama set up by the Lingayets be removed.

Read also:— correspondence ending with (the following) order dated 3rd April 1902, of the Assistant Commr Anandarao:—

"The Lingayets have

set up a Kama in the stables
of one ~~of~~ the of them, This is not
public place. Each subject
the Govt has a right to perform
oja etca, inside his house.
cording to his religion or
lief. Therefore it does not appear
ight to say that they are wrong
letting up the image & worship
ing it. There is no obstruction
r your (Brahmans) taking
e Kama procession as per
naual and burning the image."
2. The above order of the Asstt
ner is approved and there
re no grounds to interfere."

3. The Brahmans state that
e Linga to never used to set up
Kama and offer prayers; that
heir only object is to cause an
nayance to the Petitioners; that
the image set up in the Stable is
isible to be seen by the Public
nd is ~~beside~~ ~~side~~ ~~seen~~ beside
on the side of the public
road, that the worship of
ama in the form as now done
s against Manual and that this
ight lead to serious breach
the peace. They pray for in
rders reversing the Dt Magte's
rders.

4. The Petitioners have produced

from which it appears that the Lin
had no right to set up the image o
Kama in public. Subsequent le
from an order No 207 dated 4th
March 1872, issued by the Asst
Supt of Shimoga Dt to the Amildar
of Bhadravati, it appears that
right of the Banajigas and Linga
to set up a picture of Kama
(painted on paper), to take it in
procession along with the image
of the Brahmans and to burn
it near the place where the Brah
-mans burn their Kama, has
been recognized. The right of
the Lingayats to set up an image Cont
to Manmal, was also disput
in 1893 (Desc Dt Magte's order of 2
February 1893 to the Amildar of Bhad
-ravati). So late as April 19
the Dt Magte of Shimoga prohibi
the Lingayats from taking ou
the Kama image set up by them
in procession to burn it ou
of season and without any pre
in their favour, or from doing
any other act against Manm

From the above, it appea
that the Lingayats have no righ
to set up an image of Kama a
public place or to take it i
procession

5 In the case [illegible]

Kaiwa is said to be set up a private Stable, where, the Petrs allege, it is seen by the public, but the Dt Magte has considered the place to be private.

Subd for orders as to whether the Petitioners may be informed that Govt decline to interfere in the matter, or whether the Dt Magte may be asked to submit a report.

6. The general principles on which cases as the above should be decided by the local Magistracy are contained in para. 8 of Govt Proc No 109 — D.H.O dated 27th February 1893.

x Hag Am The Inspector of Police

Subd for orders

14/5/03

14/5/03 7. Were not some similar petitions received the other day, & orders passed thereon calling for reports? Let me see the papers.

Papers sent up to the Asst-Resident

15.5.03

8. The same course may be adopted here also; i.e. to call for a report from the Dist Police Officer.

15.5.03

Subd with draft

20/5/03

20/5/03

Dist for appl.

20.5.03

- 10 -

moorlich minde a house. A
whole community is actually
interested in getting rid of the
Kanaka question. The Australian
community has persistently
and with success, debarred
the departure from Queensland
for nearly half a century.
Abstract principles and
sentimental considerations
apart the question is whether
the Imperial should for the
first time use a claim
to "that which they were
never possessed of" in
the past in spite of their
repeated disclaimers. The
last order disallowing the
Imperial right to deal with a
Kanaka contract to remain
was [illegible] allowed by
Passed by Mr Abel
Parliament in 1893. Nothing
has since happened to put
that order being somewhat
the order passed by the Queensland
Parliament & assented
by the Queen in 1902/03
I continue to see of the

46

File No 1688 of 1902-03.

4/6/03 in the Kale Hammer case. The order of the Cambay Subha in which had been passed in that case on 4/6/01 was to have been reconsidered at a personal conference with Kamamer Dewan of Cambay as directed. In my humble opinion it cannot be regarded as final Government and as an authority in the case of the action taken by the local authorities in the present case. On the whole I am inclined to think that a full compliance with para 8 (d) of Pro: No 109 dated 2/7/93 - the principle underlying that order is that Mamul shall be recreated that being not to the Raja's prejudice might be decided from it & established such right as a Court of Justice

H Rae
7-3-04

D

A

9 years in a land of the tyrannical
night a daytime and
I am in Tanjore. Will my name
the II 2 Cauvery. Will my name
Tanjore 1901 7.4 3 [illegible]

1437/6
7.3.04

4/1
7/3/04

1. To put draft for favour of
draft order
12.3.1904

Draft put up. [illegible] 23.3.04

Draft rec'd on 16.3.04
Typed clean copy made on 22.3.04

18. After this is approved, endorsements communicating the substance of the 2 acts of the Ld will be issued

23.3.

Seal

19 Draft sent to the Dewan through the 1st Crr [illegible] 25/3/04

1/ 26.3.4 to the draft proposed appears seems quite suitable.

26/3/04

26/3/04

Rec'd 29.3.04

16836
29.3.04

A+D

21 The question is one & involves a policy of [illegible] — and also two orders of Govt is one of 1901 and the other of 1903. It may be circulated & brought before a meeting of Council. Before this II Dr could express and his views also

To 2nd Committee
Rec'd 27.7.04

Rec'd
25.VII.04

Ro 10
Rec'd 28-7-04.

Generai and Revenue Secretariat.

Rylands Evidence

File No. 46 of 1902–03.

U. P. no. III

Serial No.

22. In pursuance of the 172 the
rights of the dinguit com-
munity to carry on Homa
processions with Band of
the Brahmins were recognized
in 1885 the practice was
discontinued owing to contro-
versies between the two
communities. By an arrang-
ement however made by
the then Dy Commr, the
Dingats were allowed to
take the Homa processions
at a different time from
that used by the Brahmins
In 1891 the then Dy Commr
restricted with the processions
of each party to its own
street. In 1893 an appeal against the order
was decided that the

General and Revenue Secretariat.

File No. ~~58~~ 46 of 1902-03

Serial No.

A

manual should be inspected
and a superior posting machine
with just-now conclusion
to publishment.

23 The objection now raised
by the Brahmins against
the disgusted sitting upon an
image of Ganesh as a
present-stable animal
but they themselves no
seeing the entrance of
God between the two
communities. The publication
laid down in the words
27/93 commit, in my
humble opinion, they
are liable to the error
in printing whereby any
individual exercises a
natural right in any
[illegible]

General and Revenue Secretariat.

File No. 158 of 1902-03.

Serial No.

24 The spirit of the temperance draft under mild measures is in agreement, entertainment with the such rights as are contemplated in the under of 1893. It is a recognized principle in all civilized countries to regard as many homes as his castle and not to entertain with the freedom of his action as long as he does not offend against criminal & local laws and does not infringe upon public rights: but if we do intemperance may should become one of those in which any act of an individual, however innocent or trivial

General and Revenue Secretariat.

46.

File No. ~~158~~ of 1907-07

Serial No.

would be objected to if there was an amendment favourably disposed towards Sinn Fein. If the exercise of the right of freedom of faith or individual acts upon duty in a temple building and exercise in worship, nothing can be more arbitrary may disposition than to post it down under the plea that it is not necessary by manual. As observed above, this plea, if allowed, may be carried to any extent so as to render freedom of action in a temple dwelling of any nature impossible if the law

General and Revenue Secretariat.

File No. 60/158 of 1902-03

Serial No.

ill disposed neighbours.

25. Apart from this, in the light of worship of Hanuman & the Lingaits we also have to remember that religious toleration is the declared Policy of the Imperial Govt. and we ought to be more on with the Indians which have to deal, whether in this matter, with the identical deity the following different modes of Hindus. Want of religious toleration has been and is one among the reasons that we have no unity of religion and consequently no unity of action. Any

46

General and Revenue Secretariat.

File No. ~~158~~ of 1902-03

Serial No.

Our Policy should be to discourage & discountenance any tendency towards violence & existing subjections & oppressions of different communities & the orders now promulgated should be brought to effect by persuasion & exemption not enforced by the fear of the dangerous consequences which might ensue at any moment and endanger public peace & tranquillity & the object should be the establishment of a Government which can continue & not a system of Government intended to uproot those rights & privileges. From

neral and Revenue Secretariat.

46
File No. 158 of 1902-03

Serial No.

In the order/72 it is clear that the Linguets were allowed to carry on their practice with all formalities and in strict conformity with Manual. Why then should the Grant-holders be encouraging the natural rights of the Linguets? If a branch of practice is superseded, the fact of the passing of Grant is not to prevent the exercising of a natural right. What I want to point out is, the Linguets, the aggrieved party, if it thinks its rights are encroached upon against Manual and long established usages, should

MGCPB--10 600--13-5-04

General and Revenue Secretariat.

File No. 46 of 1902-03.

Serial No.

final remedy in a Court of Justice, & under such circumstances subjects to the Laws of any other community nor subject to Rama or any other deity in this own way.

26 Minor differences of custom & creed such as the, authorising a case of Salutation any, a national public assembly - many differences of prejudice in matters of worship and exercise of natural rights. It is necessary for the differences communities and to every other religious prejudice & any shameful length.

If however they do not in

Secretariat. | File No. 158 of 1902-03.

Serial No.

no arms to ship on vessel
declares that his communities
encourages or tolerates
such an antagonistic
attitude towards such action
as to lead to a breach of
friendly feeling, he should
communicate forthwith with
the Political Officer in Sikkim
& the Political Officer of Sikkim
in Sikkim under intimation to
C & C' us.

Secretariat
13/8/04
15

24. Submitted to the Dewan Sahib
for kind perusal. On its re-
turn the file will be circulated
among the Councillors as directed
this morning & then placed before
the Council on Thursday next if
possible.
16.8.1904

1016/16.8.04.

Dewan Sahib
Thursday next
17.8.1904

28. Yes.
17.8.1904

Secretariat
17.8.1904

MGGPB--10 000--19-5-04

66
2e No 19 of 19/2083 - 19.

N o t e.

ince my writing my notes of the 4 .
I have had the advantage of reading the Secon_
Councillor's able presentment of the other side of the case. I now beg to make the following further observations explanatory of my opinion which unfortunately differs from that of the ~~Dewan and the~~ Second Councillor, but which I regret my inability to reconsider.

31 The two cases under consideration, viz, the Chennagiri case which has already been dealt with, and the Bale Honnur case which is now in question, both involve a claim to set up in a place accessible to the public ~~view~~ or public view the effigy of Kama. This is not a private idol set up and worshipped by any private individual, but a public one set up and worshipped by a whole community, and, what is more, paraded by them. That the building in which the image has been sought to be exhibited is a private building makes no difference to this aspect of the question.

32. 32 Rights existing and long recognised and exercised must of course be respected, and any interference therewith prevented or punished by a resort to the to the Police of the Magistracy if need be. But the creation of new rights, or the resuscitation of rights long fallen into desuetude, stands on quite a different footing, and should not, in my humble opinion, be countenanced when public policy forbids it. Toleration is no doubt an excellent thing in theory and when applied on proper occasions; but public sentiment and practical difficulties in the ~~a~~ ought not to be ignored. I am therefore unable to agree in the views expressed by Mr. Madiah.

10. This vexata questio engaged the anxious attention of the Government for a considerable time and was ultimately determined in as satisfactory a manner as possible in 1893. It is highly undesirable that it should now be reopened.

11. The order of 1901 was apparently passed under a misapprehension of the issues involved; and what is now proposed, in the draft prepared in accordance with my views, is merely to revert to the settled policy of Government as enunciated in the standing order of 1893 which has been referred to in the following terms by the Chief Court in para 13 of their judgment dated 24.1.1902 in 2nd. appeal No. 60 of 1898-99:-

" In 1893, a dispute having arisen between Brahmin and Lingayat inhabitants of Honnali town regarding Kama procession, the Government of Mysore quoted with approval the order of the Superintendent of Nagar under date 13th. August 1872 and observed that the order in question laid down the following three principles:

> 1st strict conformity to the mamul or long usage,
> 2nd punishment of those breaking the mamul, and
> 3rd if the rule of mamul could not be ascertained the same should be ascertained by a decree of a competent Civil Court, pending which decree the parties should abide by any ad interim order of the local Magistracy.

They ~~further indicated~~ finally indicated for the guidance of the Magistracy the general principles on which cases of dispute regarding processions &ca. should be decided. It is enough to state that the gist of these principles is that the executive authorities should support an individual or a class in exercising their right to do a thing when such right is proved, except under extraordinary circumstances and that, when such right is in no dispute, the mamul

should be maintained, leaving the party who claims the right to the contrary to establish his right in a Civil Court."

~~32~~ The question is a thorny one and bristles with difficulties and it is not wise to stir up slumbering embers and introduce needless complications ~~by~~ an attempt to graft the Twentieth Century ideas on a custom-ridden and custom-respecting orthodoxy. Any interference in individual cases with the broad principles laid down in 1893 after a careful examination of the case-law on this subject would cause more irritation, annoyance, unrest and mischief than an adherence to it in all cases. Let each man do what he likes provided that he does not offend popular prejudice. But let no body of men, without the support of uninterrupted tradition or mamul behind them, combine and do for the first time what is manifestly repugnant to another similar body possessing undoubted and indisputable rights. In other words, let no innovation in matters of the kind under advertance be officially permitted so long as any reasonable objection exists to it from the standpoint of the objecting community. Where is the repression on which so much stress has been laid when we merely hold that a departure from long established usage cannot be permitted so long as it is calculated to wound the susceptibilities of a large section of our peaceful citizens naturally sensitive. Expediency, if nothing else, demands a policy of non-interference with immemorial crystallized custom.

A Chamier.

2/9/04.

The Secy.

30. The question is I believe is still pending until Place returns to India.

File No 1587 of 03.

for discussion Q -
Comes up before an early meeting of
Council -
[illegible]
2-9-04

3-4 37 Submitted to the Diwan Saheb
thro the 2d Councillor.
Rd 2/9/04.

2.9.1904

38. [illegible]
7.9.1904

5/9/04

The matter will come before
1479 the next Council
8.9.04

7.9.1904

1567
40 all right
37. [illegible]
8.IX.04

41.
38 To Registrar
10-9-1904

46.

File ~~1587~~ 1902-03.

Submitted to His Highness.

42 This case really depends upon how a right and a custom are understood, regarding the legal significance of each of which terms there is little room for doubt.

43 2. The first question is what sort of right is it that the Brahmin community possess? It is doubtless an ordinary right based on the principle that "every one is entitled without molestation to perform all lawful acts and to enjoy all the privileges which attach to him as an inhabitant of the country in which he lives". Under this class of rights which covers a wide range, come, firstly, a person's right to the free and unobstructed use of the public highways and secondly, a person's right to worship according to his own creed.

44 3. The Brahmin[x] community thus possess two distinctly ordinary rights:-

(i) the right to worship Kama;

(ii) the right to take it in procession in their town or village, i.e., to the free use of the public highway.

45 4. These rights have further been exercised for a long time. A customary use of these rights has served only to emphasize them.

46 5. Now what is the obligation corresponding to such rights? It is simply this, viz., that the others coming in contact with their exercise are legally bound to refrain from obstructing the free exercise of such rights. The duty of the executive is to prevent an obstruction to the exercise of such rights causing a breach of the public peace. Applying this to the Lingayat community, we find that the Lingayats cannot do any acts inconsistent with the free enjoyment of the rights possessed by the Brahmins.

47 6. It should, however, be borne in mind that the circumstances of the case do not prove that the Brahmins have acquired a right in derogation of the rights of the public to exclude all persons from conducting Kama processions or assembling for public worship within their town or village. The rights of the Brahmins are not monopolies which alone can legally prevent the exercise of similar rights by any others.

48 7. Hence, the right to keep and worship a Kama

is possessed by the Lingayat community as much as any other, if it is in accordance with their creed, since none has a right to exclude that of the others by worshipping Kama himself. The exercise of such right by the Lingayat community does in no way affect that possessed and enjoyed by the Brahmins. In a word, there is no conflict of rights.

49 8. Against this view, it is argued that the Lingayats have not peacefully and continuously exercised this right. The possession of this ordinary right by them being undoubted, its non-exercise or opposition to it is of no material consequence. The exercise of the right is optional; while opposition to it is illegal. Hence, no legal consequences can arise out of either circumstance.

47 50. But omission to exercise this ordinary right is contended to create a custom or customary rule against the Lingayats. This is not a custom in the legal sense of the expression. "When certain persons have by common consent purposely followed a certain rule and have by acts or forbearances (consuetudo affirmativa, negativa) recognized such rule as binding on them, there arises from this common will so evidenced a law which obliges every individual who can be

reckoned as one of these persons." This rule is said to be customary law provided the rule satisfies other recognized conditions. But the facts of the case establish beyond all doubt that the Lingayats have as a class been striving hard for a number of years past to set up a Kama and to take it in procession.

~~Ex 578~~ Granting for the sake of argument that a custom unfavorable to the Lingayats has sprung up, it is found that it is unreasonable since it militates against the first principles of religious toleration and is inconsistent with the ordinary right possessed by the Lingayats. An unreasonable custom cannot have the force of a law.

Ex # 52. The right to take the Kama in procession stands on a somewhat different footing. The Lingayats cannot exercise this right in such manner as to affect the free exercise of a similar right by the Brahmins. Barring this, the former are entitled by virtue of their ordinary right to conduct religious processions through public streets so that they do not interfere with the ordinary use of such streets by the public and subject to such directions as the magistrates may lawfully give to prevent obstructions of the thorough fare

or breaches of the public peace.

58 12. These principles have often been recognized in the decisions of the Madras High Court, the more important of which may be referred to here.

First. In a case reported on pages 304-310 I.L.R., Madras, Vol.V, rivalry was found to exist between two religious sects, viz., the Tenkalais and the Vadakala: The former possessed an ancient temple of worship and long enjoyed the right of taking the idol in procession. The latter opened a temple on a private site for public worship in a certain public street laying within the usual range of the processions conducted by their religious rivals. The Tenkalais obtained a decree in the Munsiff's Court directing the removal of the temple and granting an injunction restraining the Vadakalais from erecting a temple in any part of the street. On appeal, the District Judge reversed the decree observing- "that the street in which the temples were situated was undoubtedly a public street and that the site on which the respondents had erected their temple was their private property" and, therefore, the Vadakalais were entitled, in virtue of their general right to liberty of worship, to erect the

12. In second appeal, the High Court confirmed the decree of the District Judge, observing as follows:-

"It is not denied that the view of the Pandits is opposed to what has been declared to be the law of India under British Administration, and that persons of whatever sect are at liberty to erect buildings and therein conduct public worship on their own land provided they neither invade the rights of property enjoyed by their neighbours, nor cause a public nuisance, and that they are also entitled to conduct religious processions through public streets so that they do not interfere with the ordinary use of such streets by the public and subject to such discretion as the magistrates may lawfully give to prevent obstructions of the thoroughfare or breaches of the public peace."

Secondly, this decision itself was based on that reported in I.L.R. 2 Mad 140.

13. Finally, it is important to note that the facts of this case do not touch in any manner the order of 1893 contained in para 4, to which the Firs Councillor would adhere. It is a deviation from Ham or customary right that is discouraged therein; and

Brahmins. Still more important than this is the consideration that the right claimed by the Lingayats is one which can be asserted without proof of usage, and, therefore, under para 4 of the order of 1893, a proof of usage would be immaterial in order to establish it. This portion of the order confines itself to Hamul and has no application to cases where general or ordinary or natural rights, expressions used in one and the same sense by jurists, are in question. The right of the Lingayats, as already pointed out, is a natural or ordinary right, and not a right derived from custom or Hamul, and does not impose any restrictions on the rights, natural and customary, possessed by the Brahmins. The present case, therefore, falls under clause (a) of the order of 1893.

14. On such considerations as these, it was that my note, dated 26th June 1903, was based; and for ready reference it will be quoted here:-

"For nearly 30 years and more the policy of repression did not remove the desire to assert the ordinary right of enjoying a feast in a particular manner. This innovation has been exercised from 1899 without creating a breach of the peace. The interfer-

f magistracy is justifiable only on the ground of
ich apprehension. Is it necessary to interfere at
his stage? - and when affairs are settling down in
desirable manner? Is the door of freedom to be
hut up al-together and permanently even after the
ecessity for so doing has ceased
rivilege which the Brahmins claim is not a positive
ne which they have to enjoy but it is a negative one
f placing another community under a permanent dis-
bility, not founded upon any royal license of ex-
lusiveness or any exclusive custom." . . . .

15. The most recent policy of the Government in
hese matters is evidenced by their orders in the
uzrai Department, dated 17th May 1904 and 24th June
1904, and is consistent with the views expressed
bove.

16. In these circumstances, I am of opinion
that the contention of the Brahmins is unreasonable
nd agree with the Second Councillor in his opinion.
The order of 1901 is quite sound, and may be upheld
by His Highness.

ecord of Case submitted for the orders of His Highness the Maharaja.

Subject.

59 Appeal of the Brahmins of Holehonnur an Channagiri against the order of the District Magistrate of Shimoga according permission t the Lingayets thereof to set up idols of Kam in private buildings.

Order.

860 Yes I quite agree with the Dewan

KRW

4/1/05

61. Orders issued 5.1.05

62. Draft orders 5.1.1905

Issued 6/1/05

Ind. 7-1-05

cretariat. File No. ~~158~~ 46 of 1902-03

Serial No. 63 to secy

Submitted with a draft order and two judgments for approval. Bgs 20:1:'05

SN 18.1.05 16-1-05

Ord. Passed 23-1-1905

4025/16-1-05

4. Govt Pro: No J 2017-26, d/25-1-05, to the Dy Comr, Shimoga, the Dy Comr of other Dts, the I. G. of Police, and the Inspr of Secy.

Observes that ~~[para 8 of Govt Order No 109 Dated 2-2-93 confines itself to discouraging a deviation from Manual, and has no application to cases when penal or ordinary or natural rights are in question, and that the right of the Lingayats is a natural or ordinary right, not derived from Manual or Custom, and does not impose any restrictions on the rights, natural & customary, possessed by the Brahmins, and that the cases fall under clause (a) para 8 of the said order~~ the privilege claimed by the Brahmins is not a positive one which they have to enjoy, but a negative one of placing another community under a permanent disability not founded upon any legal reason of exclusiveness, & that the contention of the Brahmins is unreasonable, and rejects their appeals accordingly.

General and Revenue Secretariat.

File No. ~~1558~~ 66 of 1902 - 03

Serial No.

5. To Thiruvenkatachar & other Brahmins of Chennapuri. Endorsement No 2027, dt 25-1-05.

Informs them that their contention is unreasonable and cannot be accepted

OFFICE OF THE COMMISSIONER OF MYSORE DIVISION
Regd No. 11860-1902-03
4 MAY 1903

No. 2405

1) Two Rupees Stamp not affixed

2) By Canvi with Papers

3) In time

Name of Petitioner Timmanachar
& the Rama Rao and
others Brahmins

Village

Taluk Kasba & Shimoga

District Shimoga

Date of Arzi 20-4-03

Date of Receipt 27-4-03

Date of Disposal

No. of Enclosure 8 (eight)

ABSTRACT

Appeal against the order of the Deputy Commissioner and Deputy Magistrate, Shimoga dated 11-3 as follows:-

Read your petition dated 26-5-02 stating that the Petta Linga's name Setu Rama Edel, in one of the stables) carriage stands in the Petta against mamool and complaining that their Rama festivities are caused to be conducted unless the said Rama Setu by the Linga is removed. Read also the

re. order dated 3-4-05 of the 2
Asst Laws Mr Nanda Rao.
The Engagers to have put up a
canal in the Stables of one of them.
This is not a public place.
Each subject of the Govt
has a right to perform pooja
e inside his house according
- his religion. The Asst Laws
as rightly ordered that it
s not fair to prohibit the
Engagers from placing a
canal in as stated above and
rom offering poojas and that
here is no obstruction for
Yaur (Brahmins) taking the
anal procession as per manool
nd burning kanda &c. The
bove order of the Asst Laws
s approved and no there Seems
re no grounds to interfere."

The petrs submit that
he view taken by the Dy Laws.
s incorrect; that the Engagers
ever used to place a kanda
nd offer poojas till now;
hat their only object is to
ause annoyance to the
petrs;

petro; that the said Lingayelo have been from a long time bo trying to mainid the feelings of the petro huli have been prohibited from doing so since 1856; that several orders as nalid below have been passed by the previous Division Supdt Nagar Dy and Deputy Lamus and Governments; that the image put up in the Stable complained of is liable to be seen by the public and is on the side of the public road; that the worship of Kama in the same as done now by the Lingayelo is against manual and is besides an insult to the petitioners; and that the Labour might give rise to Serious breach of the peace.

Pray for issue of orders reversing the Dy Lamus order

Sd [illegible] (O.T-O)

orders relied upon by the petitioners

1) Hukum No. 41 dated 22.3.56 to the Muldar by the Supdt. Nagar Du.

2) order No. 1124 dated 2.10.56 to the Muldar by Supdt. Nagar Du.

3) No. 20 dated 5.3.1857 Do Do

4) No. 207 dated 22.3.72 to the Muldar by Shimoga Dt. Supdt.

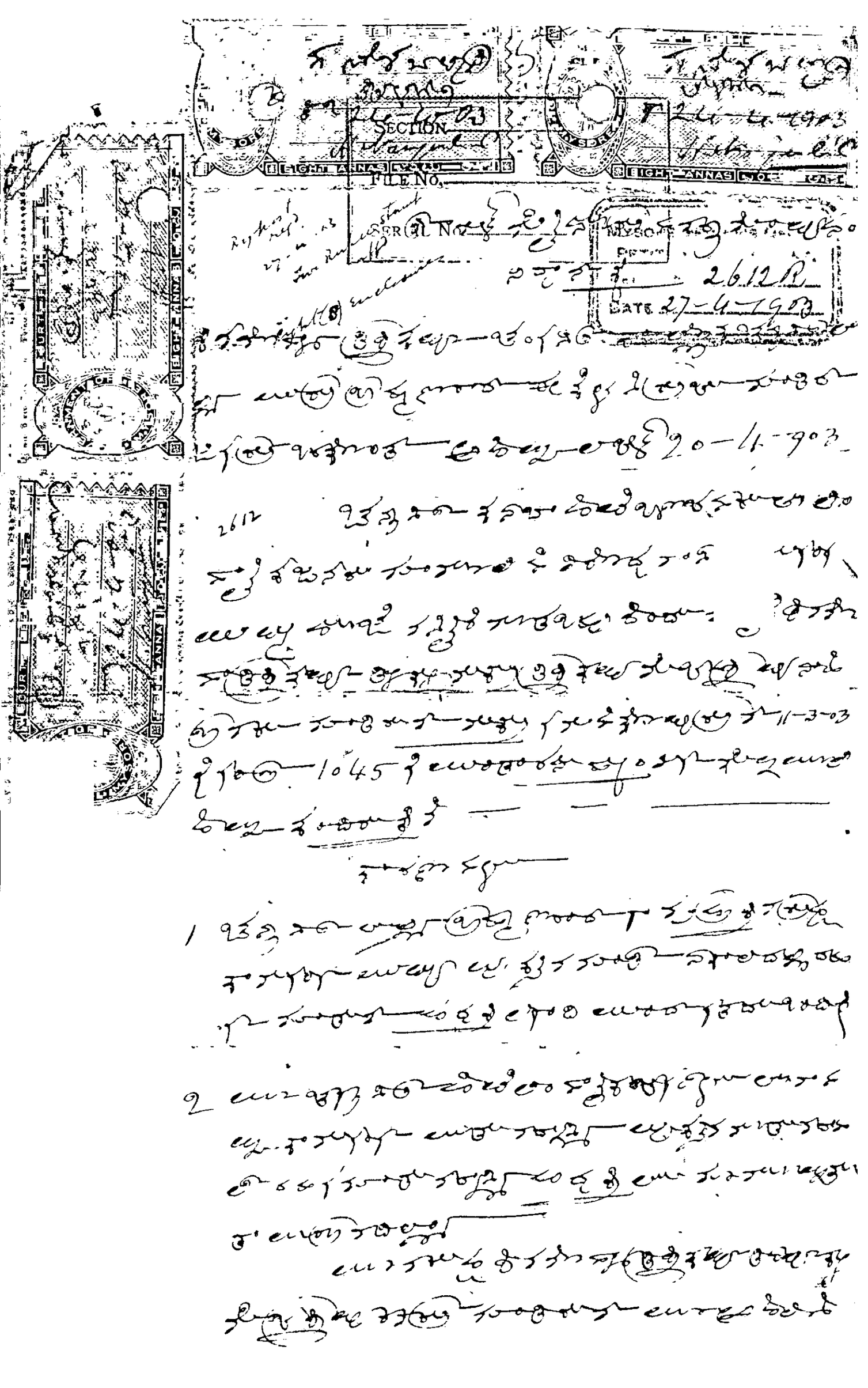
5) The Muchulika executed by the Lingayats before the Taluk in 1872 as per above orders.

6) order No. 3309 dated 20.2.93 of the Dy Commr. Shimoga Dt.

7) order issued to the Lingayats on 3.4.1901 by the Dt. Magistrate.

The petrs have produced copies of the above orders as also the Dy Commr's order dated 11.3.03 now appealed against

25/03



ਦੇਖਿਆ ਹੈ ਕਿ ਕਿਸੇ ਵਿਅਕਤੀ ਨੇ ਕਿਸੇ ਹੋਰ ਵਿਅਕਤੀ ਦੇ ਵਿਰੁੱਧ ਕੋਈ ਅਪਰਾਧ ਕੀਤਾ ਹੈ ਜਾਂ

ಸಂಖ್ಯೆ ಸಂಖ್ಯೆ ಸಂಖ್ಯೆ

ਨਾਲ ਸਾਂਝੀ ਕੀਤੀ ਜਾਵੇ ਤਾਂ ਜੋ ਸਾਰੇ ਲੋਕ ਇਸ ਦਾ ਲਾਭ ਉਠਾ ਸਕਣ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਬਹੁਤ ਸਾਰੇ ਲੋਕ ਅਜਿਹੇ ਹਨ ਜੋ ਗਰੀਬੀ ਦੀ ਰੇਖਾ ਤੋਂ ਹੇਠਾਂ ਜੀਵਨ ਬਸਰ ਕਰ ਰਹੇ ਹਨ। ਉਹਨਾਂ ਕੋਲ ਰਹਿਣ ਲਈ ਮਕਾਨ ਨਹੀਂ ਹਨ। ਉਹ ਫੁੱਟਪਾਥਾਂ ਉਤੇ ਜਾਂ ਖੁੱਲ੍ਹੇ ਆਸਮਾਨ ਹੇਠ ਰਾਤ ਕੱਟਦੇ ਹਨ। ਉਹਨਾਂ ਨੂੰ ਦੋ ਵੇਲੇ ਦੀ ਰੋਟੀ ਵੀ ਮੁਸ਼ਕਿਲ ਨਾਲ ਮਿਲਦੀ ਹੈ। ਉਹਨਾਂ ਦੇ ਬੱਚੇ ਪੜ੍ਹਾਈ ਤੋਂ ਵਾਂਝੇ ਰਹਿ ਜਾਂਦੇ ਹਨ। ਇਹ ਸਾਡੇ ਸਮਾਜ ਦੀ ਬਹੁਤ ਵੱਡੀ ਕਮਜ਼ੋਰੀ ਹੈ। ਸਰਕਾਰ ਨੂੰ ਇਸ ਵੱਲ ਵਿਸ਼ੇਸ਼ ਧਿਆਨ ਦੇਣਾ ਚਾਹੀਦਾ ਹੈ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਬੇਰੁਜ਼ਗਾਰੀ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਗੰਭੀਰ ਹੈ। ਪੜ੍ਹੇ-ਲਿਖੇ ਨੌਜਵਾਨ ਨੌਕਰੀਆਂ ਲਈ ਭਟਕਦੇ ਫਿਰਦੇ ਹਨ। ਉਹਨਾਂ ਕੋਲ ਡਿਗਰੀਆਂ ਤਾਂ ਹਨ ਪਰ ਕੰਮ ਨਹੀਂ ਹੈ। ਇਸ ਕਾਰਨ ਉਹ ਨਿਰਾਸ਼ ਹੋ ਜਾਂਦੇ ਹਨ। ਕਈ ਵਾਰ ਉਹ ਗਲਤ ਰਾਹ ਵੀ ਅਪਣਾ ਲੈਂਦੇ ਹਨ। ਸਰਕਾਰ ਨੂੰ ਰੁਜ਼ਗਾਰ ਦੇ ਨਵੇਂ ਮੌਕੇ ਪੈਦਾ ਕਰਨੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਭ੍ਰਿਸ਼ਟਾਚਾਰ ਵੀ ਬਹੁਤ ਵੱਡੀ ਸਮੱਸਿਆ ਹੈ। ਹਰ ਪਾਸੇ ਰਿਸ਼ਵਤਖੋਰੀ ਦਾ ਬੋਲਬਾਲਾ ਹੈ। ਲੋਕਾਂ ਦੇ ਕੰਮ ਰਿਸ਼ਵਤ ਤੋਂ ਬਿਨਾਂ ਨਹੀਂ ਹੁੰਦੇ। ਇਸ ਨਾਲ ਗਰੀਬ ਲੋਕ ਹੋਰ ਵੀ ਪਿਸ ਜਾਂਦੇ ਹਨ। ਸਰਕਾਰ ਨੂੰ ਇਸ ਨੂੰ ਖਤਮ ਕਰਨ ਲਈ ਸਖਤ ਕਦਮ ਚੁੱਕਣੇ ਚਾਹੀਦੇ ਹਨ। ਦੋਸ਼ੀਆਂ ਨੂੰ ਸਜ਼ਾ ਦੇਣੀ ਚਾਹੀਦੀ ਹੈ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਵਾਤਾਵਰਣ ਦੀ ਸਮੱਸਿਆ ਵੀ ਦਿਨ-ਬ-ਦਿਨ ਵਧ ਰਹੀ ਹੈ। ਫੈਕਟਰੀਆਂ ਦਾ ਧੂੰਆਂ ਅਤੇ ਗੰਦਾ ਪਾਣੀ ਨਦੀਆਂ ਵਿਚ ਸੁੱਟਿਆ ਜਾ ਰਿਹਾ ਹੈ। ਇਸ ਨਾਲ ਪਾਣੀ ਅਤੇ ਹਵਾ ਦੋਵੇਂ ਪ੍ਰਦੂਸ਼ਿਤ ਹੋ ਰਹੇ ਹਨ। ਲੋਕਾਂ ਨੂੰ ਸਾਫ ਪਾਣੀ ਅਤੇ ਸਾਫ ਹਵਾ ਨਹੀਂ ਮਿਲ ਰਹੀ। ਇਸ ਨਾਲ ਬਿਮਾਰੀਆਂ ਫੈਲ ਰਹੀਆਂ ਹਨ। ਸਰਕਾਰ ਨੂੰ ਇਸ ਵੱਲ ਵੀ ਧਿਆਨ ਦੇਣਾ ਚਾਹੀਦਾ ਹੈ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਆਬਾਦੀ ਵੀ ਬਹੁਤ ਤੇਜ਼ੀ ਨਾਲ ਵਧ ਰਹੀ ਹੈ। ਇਹ ਵੀ ਇਕ ਵੱਡੀ ਸਮੱਸਿਆ ਹੈ। ਆਬਾਦੀ ਵਧਣ ਨਾਲ ਸਾਧਨਾਂ ਉਤੇ ਬੋਝ ਵਧਦਾ ਹੈ। ਲੋਕਾਂ ਨੂੰ ਰੋਟੀ, ਕੱਪੜਾ ਅਤੇ ਮਕਾਨ ਮਿਲਣਾ ਮੁਸ਼ਕਿਲ ਹੋ ਜਾਂਦਾ ਹੈ। ਸਰਕਾਰ ਨੂੰ ਪਰਿਵਾਰ ਨਿਯੋਜਨ ਦੇ ਸਾਧਨਾਂ ਨੂੰ ਉਤਸ਼ਾਹਿਤ ਕਰਨਾ ਚਾਹੀਦਾ ਹੈ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਅਨਪੜ੍ਹਤਾ ਵੀ ਬਹੁਤ ਵੱਡੀ ਸਮੱਸਿਆ ਹੈ। ਬਹੁਤ ਸਾਰੇ ਲੋਕ ਪੜ੍ਹੇ-ਲਿਖੇ ਨਹੀਂ ਹਨ। ਉਹ ਆਪਣੇ ਹੱਕਾਂ ਬਾਰੇ ਨਹੀਂ ਜਾਣਦੇ। ਉਹ ਆਸਾਨੀ ਨਾਲ ਠੱਗੇ ਜਾਂਦੇ ਹਨ। ਸਰਕਾਰ ਨੂੰ ਸਾਖਰਤਾ ਵਧਾਉਣ ਲਈ ਵਿਸ਼ੇਸ਼ ਯਤਨ ਕਰਨੇ ਚਾਹੀਦੇ ਹਨ। ਪੇਂਡੂ ਖੇਤਰਾਂ ਵਿਚ ਸਕੂਲ ਖੋਲ੍ਹਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਔਰਤਾਂ ਦੀ ਸਥਿਤੀ ਵੀ ਚਿੰਤਾਜਨਕ ਹੈ। ਉਹਨਾਂ ਨਾਲ ਵਿਤਕਰਾ ਕੀਤਾ ਜਾਂਦਾ ਹੈ। ਉਹਨਾਂ ਨੂੰ ਬਰਾਬਰ ਦੇ ਮੌਕੇ ਨਹੀਂ ਮਿਲਦੇ। ਦਾਜ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਗੰਭੀਰ ਹੈ। ਔਰਤਾਂ ਉਤੇ ਅੱਤਿਆਚਾਰ ਵੀ ਵਧ ਰਹੇ ਹਨ। ਸਰਕਾਰ ਨੂੰ ਔਰਤਾਂ ਦੀ ਸੁਰੱਖਿਆ ਲਈ ਸਖਤ ਕਾਨੂੰਨ ਬਣਾਉਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਸਿਹਤ ਸੇਵਾਵਾਂ ਵੀ ਬਹੁਤ ਮਾੜੀ ਹਾਲਤ ਵਿਚ ਹਨ। ਹਸਪਤਾਲਾਂ ਵਿਚ ਡਾਕਟਰਾਂ ਅਤੇ ਦਵਾਈਆਂ ਦੀ ਘਾਟ ਹੈ। ਲੋਕਾਂ ਨੂੰ ਇਲਾਜ ਲਈ ਬਹੁਤ ਖੱਜਲ-ਖੁਆਰ ਹੋਣਾ ਪੈਂਦਾ ਹੈ। ਸਰਕਾਰ ਨੂੰ ਸਿਹਤ ਸੇਵਾਵਾਂ ਵਿਚ ਸੁਧਾਰ ਕਰਨਾ ਚਾਹੀਦਾ ਹੈ। ਹਰ ਪਿੰਡ ਵਿਚ ਡਿਸਪੈਂਸਰੀ ਖੋਲ੍ਹਣੀ ਚਾਹੀਦੀ ਹੈ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਜਾਤ-ਪਾਤ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਲੋਕ ਜਾਤ ਦੇ ਆਧਾਰ ਉਤੇ ਵੰਡੇ ਹੋਏ ਹਨ। ਇਸ ਨਾਲ ਸਮਾਜ ਵਿਚ ਤਣਾਅ ਪੈਦਾ ਹੁੰਦਾ ਹੈ। ਸਰਕਾਰ ਨੂੰ ਜਾਤ-ਪਾਤ ਨੂੰ ਖਤਮ ਕਰਨ ਲਈ ਯਤਨ ਕਰਨੇ ਚਾਹੀਦੇ ਹਨ। ਅੰਤਰ-ਜਾਤੀ ਵਿਆਹਾਂ ਨੂੰ ਉਤਸ਼ਾਹਿਤ ਕਰਨਾ ਚਾਹੀਦਾ ਹੈ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਫਿਰਕੂ ਦੰਗੇ ਵੀ ਇਕ ਵੱਡੀ ਸਮੱਸਿਆ ਹੈ। ਹਿੰਦੂ-ਮੁਸਲਿਮ ਦੰਗੇ ਅਕਸਰ ਹੁੰਦੇ ਰਹਿੰਦੇ ਹਨ। ਇਸ ਨਾਲ ਬਹੁਤ ਨੁਕਸਾਨ ਹੁੰਦਾ ਹੈ। ਸਰਕਾਰ ਨੂੰ ਫਿਰਕੂ ਦੰਗਿਆਂ ਨੂੰ ਰੋਕਣ ਲਈ ਸਖਤ ਕਦਮ ਚੁੱਕਣੇ ਚਾਹੀਦੇ ਹਨ। ਦੋਸ਼ੀਆਂ ਨੂੰ ਸਜ਼ਾ ਦੇਣੀ ਚਾਹੀਦੀ ਹੈ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਅੱਤਵਾਦ ਵੀ ਇਕ ਵੱਡੀ ਸਮੱਸਿਆ ਹੈ। ਅੱਤਵਾਦੀ ਹਮਲੇ ਅਕਸਰ ਹੁੰਦੇ ਰਹਿੰਦੇ ਹਨ। ਇਸ ਨਾਲ ਬਹੁਤ ਨੁਕਸਾਨ ਹੁੰਦਾ ਹੈ। ਸਰਕਾਰ ਨੂੰ ਅੱਤਵਾਦ ਨੂੰ ਰੋਕਣ ਲਈ ਸਖਤ ਕਦਮ ਚੁੱਕਣੇ ਚਾਹੀਦੇ ਹਨ। ਦੋਸ਼ੀਆਂ ਨੂੰ ਸਜ਼ਾ ਦੇਣੀ ਚਾਹੀਦੀ ਹੈ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਭਾਸ਼ਾ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਲੋਕ ਭਾਸ਼ਾ ਦੇ ਆਧਾਰ ਉਤੇ ਵੰਡੇ ਹੋਏ ਹਨ। ਇਸ ਨਾਲ ਸਮਾਜ ਵਿਚ ਤਣਾਅ ਪੈਦਾ ਹੁੰਦਾ ਹੈ। ਸਰਕਾਰ ਨੂੰ ਭਾਸ਼ਾ ਨੂੰ ਖਤਮ ਕਰਨ ਲਈ ਯਤਨ ਕਰਨੇ ਚਾਹੀਦੇ ਹਨ। ਅੰਤਰ-ਭਾਸ਼ਾਈ ਵਿਆਹਾਂ ਨੂੰ ਉਤਸ਼ਾਹਿਤ ਕਰਨਾ ਚਾਹੀਦਾ ਹੈ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਖੇਤੀਬਾੜੀ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਕਿਸਾਨ ਕਰਜ਼ੇ ਦੇ ਬੋਝ ਹੇਠ ਦੱਬੇ ਹੋਏ ਹਨ। ਉਹਨਾਂ ਨੂੰ ਫਸਲ ਦਾ ਸਹੀ ਮੁੱਲ ਨਹੀਂ ਮਿਲਦਾ। ਸਰਕਾਰ ਨੂੰ ਕਿਸਾਨਾਂ ਦੀ ਮਦਦ ਲਈ ਯਤਨ ਕਰਨੇ ਚਾਹੀਦੇ ਹਨ। ਫਸਲ ਦਾ ਸਹੀ ਮੁੱਲ ਦੇਣਾ ਚਾਹੀਦਾ ਹੈ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਉਦਯੋਗਾਂ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਉਦਯੋਗ ਪਛੜੇ ਹੋਏ ਹਨ। ਉਹਨਾਂ ਨੂੰ ਆਧੁਨਿਕ ਬਣਾਉਣ ਦੀ ਲੋੜ ਹੈ। ਸਰਕਾਰ ਨੂੰ ਉਦਯੋਗਾਂ ਨੂੰ ਉਤਸ਼ਾਹਿਤ ਕਰਨਾ ਚਾਹੀਦਾ ਹੈ। ਨਵੇਂ ਉਦਯੋਗ ਲਗਾਉਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਵਪਾਰ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਵਪਾਰ ਵਿਚ ਘਾਟਾ ਪੈ ਰਿਹਾ ਹੈ। ਨਿਰਯਾਤ ਘੱਟ ਹੈ ਅਤੇ ਆਯਾਤ ਵੱਧ ਹੈ। ਸਰਕਾਰ ਨੂੰ ਵਪਾਰ ਨੂੰ ਉਤਸ਼ਾਹਿਤ ਕਰਨਾ ਚਾਹੀਦਾ ਹੈ। ਨਿਰਯਾਤ ਵਧਾਉਣ ਲਈ ਯਤਨ ਕਰਨੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਬੈਂਕਿੰਗ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਬੈਂਕਾਂ ਦਾ ਕਰਜ਼ਾ ਡੁੱਬ ਰਿਹਾ ਹੈ। ਲੋਕ ਕਰਜ਼ਾ ਲੈ ਕੇ ਵਾਪਸ ਨਹੀਂ ਕਰਦੇ। ਸਰਕਾਰ ਨੂੰ ਬੈਂਕਾਂ ਨੂੰ ਮਜ਼ਬੂਤ ਕਰਨਾ ਚਾਹੀਦਾ ਹੈ। ਕਰਜ਼ਾ ਵਸੂਲੀ ਲਈ ਸਖਤ ਕਦਮ ਚੁੱਕਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਬਿਜਲੀ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਬਿਜਲੀ ਦੀ ਘਾਟ ਹੈ। ਲੋਕਾਂ ਨੂੰ ਲੰਬੇ ਕੱਟ ਲੱਗਦੇ ਹਨ। ਸਰਕਾਰ ਨੂੰ ਬਿਜਲੀ ਉਤਪਾਦਨ ਵਧਾਉਣਾ ਚਾਹੀਦਾ ਹੈ। ਨਵੇਂ ਬਿਜਲੀ ਘਰ ਬਣਾਉਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਪਾਣੀ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਪਾਣੀ ਦੀ ਘਾਟ ਹੈ। ਲੋਕਾਂ ਨੂੰ ਪੀਣ ਵਾਲਾ ਪਾਣੀ ਨਹੀਂ ਮਿਲਦਾ। ਸਰਕਾਰ ਨੂੰ ਪਾਣੀ ਦੀ ਸੰਭਾਲ ਲਈ ਯਤਨ ਕਰਨੇ ਚਾਹੀਦੇ ਹਨ। ਨਵੇਂ ਜਲ ਸਰੋਤ ਬਣਾਉਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਸੜਕਾਂ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਸੜਕਾਂ ਟੁੱਟੀਆਂ ਹੋਈਆਂ ਹਨ। ਆਵਾਜਾਈ ਵਿਚ ਮੁਸ਼ਕਿਲ ਆਉਂਦੀ ਹੈ। ਸਰਕਾਰ ਨੂੰ ਸੜਕਾਂ ਦੀ ਮੁਰੰਮਤ ਕਰਨੀ ਚਾਹੀਦੀ ਹੈ। ਨਵੀਆਂ ਸੜਕਾਂ ਬਣਾਉਣੀਆਂ ਚਾਹੀਦੀਆਂ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਰੇਲਵੇ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਰੇਲਵੇ ਘਾਟੇ ਵਿਚ ਚੱਲ ਰਿਹਾ ਹੈ। ਰੇਲਵੇ ਦੀ ਸੇਵਾ ਵੀ ਚੰਗੀ ਨਹੀਂ ਹੈ। ਸਰਕਾਰ ਨੂੰ ਰੇਲਵੇ ਨੂੰ ਮਜ਼ਬੂਤ ਕਰਨਾ ਚਾਹੀਦਾ ਹੈ। ਰੇਲਵੇ ਦੀ ਸੇਵਾ ਵਿਚ ਸੁਧਾਰ ਕਰਨਾ ਚਾਹੀਦਾ ਹੈ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਹਵਾਈ ਸੇਵਾ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਹਵਾਈ ਸੇਵਾ ਮਹਿੰਗੀ ਹੈ। ਆਮ ਲੋਕ ਹਵਾਈ ਸੇਵਾ ਦਾ ਲਾਭ ਨਹੀਂ ਉਠਾ ਸਕਦੇ। ਸਰਕਾਰ ਨੂੰ ਹਵਾਈ ਸੇਵਾ ਨੂੰ ਸਸਤਾ ਕਰਨਾ ਚਾਹੀਦਾ ਹੈ। ਨਵੇਂ ਹਵਾਈ ਅੱਡੇ ਬਣਾਉਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਜਲ ਸੇਵਾ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਜਲ ਸੇਵਾ ਘੱਟ ਹੈ। ਲੋਕਾਂ ਨੂੰ ਜਲ ਸੇਵਾ ਦਾ ਲਾਭ ਨਹੀਂ ਮਿਲਦਾ। ਸਰਕਾਰ ਨੂੰ ਜਲ ਸੇਵਾ ਨੂੰ ਵਧਾਉਣਾ ਚਾਹੀਦਾ ਹੈ। ਨਵੇਂ ਜਲ ਮਾਰਗ ਬਣਾਉਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਸੰਚਾਰ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਸੰਚਾਰ ਮਹਿੰਗਾ ਹੈ। ਲੋਕਾਂ ਨੂੰ ਸੰਚਾਰ ਦਾ ਲਾਭ ਨਹੀਂ ਮਿਲਦਾ। ਸਰਕਾਰ ਨੂੰ ਸੰਚਾਰ ਨੂੰ ਸਸਤਾ ਕਰਨਾ ਚਾਹੀਦਾ ਹੈ। ਨਵੇਂ ਸੰਚਾਰ ਸਾਧਨ ਬਣਾਉਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਡਾਕ ਸੇਵਾ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਡਾਕ ਸੇਵਾ ਘੱਟ ਹੈ। ਲੋਕਾਂ ਨੂੰ ਡਾਕ ਸੇਵਾ ਦਾ ਲਾਭ ਨਹੀਂ ਮਿਲਦਾ। ਸਰਕਾਰ ਨੂੰ ਡਾਕ ਸੇਵਾ ਨੂੰ ਵਧਾਉਣਾ ਚਾਹੀਦਾ ਹੈ। ਨਵੇਂ ਡਾਕ ਘਰ ਬਣਾਉਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਤਾਰ ਸੇਵਾ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਤਾਰ ਸੇਵਾ ਘੱਟ ਹੈ। ਲੋਕਾਂ ਨੂੰ ਤਾਰ ਸੇਵਾ ਦਾ ਲਾਭ ਨਹੀਂ ਮਿਲਦਾ। ਸਰਕਾਰ ਨੂੰ ਤਾਰ ਸੇਵਾ ਨੂੰ ਵਧਾਉਣਾ ਚਾਹੀਦਾ ਹੈ। ਨਵੇਂ ਤਾਰ ਘਰ ਬਣਾਉਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਟੈਲੀਫੋਨ ਸੇਵਾ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਟੈਲੀਫੋਨ ਸੇਵਾ ਘੱਟ ਹੈ। ਲੋਕਾਂ ਨੂੰ ਟੈਲੀਫੋਨ ਸੇਵਾ ਦਾ ਲਾਭ ਨਹੀਂ ਮਿਲਦਾ। ਸਰਕਾਰ ਨੂੰ ਟੈਲੀਫੋਨ ਸੇਵਾ ਨੂੰ ਵਧਾਉਣਾ ਚਾਹੀਦਾ ਹੈ। ਨਵੇਂ ਟੈਲੀਫੋਨ ਐਕਸਚੇਂਜ ਬਣਾਉਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਇੰਟਰਨੈੱਟ ਸੇਵਾ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਇੰਟਰਨੈੱਟ ਸੇਵਾ ਘੱਟ ਹੈ। ਲੋਕਾਂ ਨੂੰ ਇੰਟਰਨੈੱਟ ਸੇਵਾ ਦਾ ਲਾਭ ਨਹੀਂ ਮਿਲਦਾ। ਸਰਕਾਰ ਨੂੰ ਇੰਟਰਨੈੱਟ ਸੇਵਾ ਨੂੰ ਵਧਾਉਣਾ ਚਾਹੀਦਾ ਹੈ। ਨਵੇਂ ਇੰਟਰਨੈੱਟ ਕੇਂਦਰ ਬਣਾਉਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਮੋਬਾਈਲ ਸੇਵਾ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਮੋਬਾਈਲ ਸੇਵਾ ਘੱਟ ਹੈ। ਲੋਕਾਂ ਨੂੰ ਮੋਬਾਈਲ ਸੇਵਾ ਦਾ ਲਾਭ ਨਹੀਂ ਮਿਲਦਾ। ਸਰਕਾਰ ਨੂੰ ਮੋਬਾਈਲ ਸੇਵਾ ਨੂੰ ਵਧਾਉਣਾ ਚਾਹੀਦਾ ਹੈ। ਨਵੇਂ ਮੋਬਾਈਲ ਟਾਵਰ ਬਣਾਉਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਸੈਟੇਲਾਈਟ ਸੇਵਾ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਸੈਟੇਲਾਈਟ ਸੇਵਾ ਘੱਟ ਹੈ। ਲੋਕਾਂ ਨੂੰ ਸੈਟੇਲਾਈਟ ਸੇਵਾ ਦਾ ਲਾਭ ਨਹੀਂ ਮਿਲਦਾ। ਸਰਕਾਰ ਨੂੰ ਸੈਟੇਲਾਈਟ ਸੇਵਾ ਨੂੰ ਵਧਾਉਣਾ ਚਾਹੀਦਾ ਹੈ। ਨਵੇਂ ਸੈਟੇਲਾਈਟ ਛੱਡਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਰੱਖਿਆ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਰੱਖਿਆ ਬਜਟ ਘੱਟ ਹੈ। ਫੌਜ ਕੋਲ ਆਧੁਨਿਕ ਹਥਿਆਰ ਨਹੀਂ ਹਨ। ਸਰਕਾਰ ਨੂੰ ਰੱਖਿਆ ਬਜਟ ਵਧਾਉਣਾ ਚਾਹੀਦਾ ਹੈ। ਫੌਜ ਨੂੰ ਆਧੁਨਿਕ ਹਥਿਆਰ ਦੇਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਪੁਲਿਸ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਪੁਲਿਸ ਭ੍ਰਿਸ਼ਟ ਹੈ। ਪੁਲਿਸ ਲੋਕਾਂ ਦੀ ਮਦਦ ਨਹੀਂ ਕਰਦੀ। ਸਰਕਾਰ ਨੂੰ ਪੁਲਿਸ ਨੂੰ ਸੁਧਾਰਨਾ ਚਾਹੀਦਾ ਹੈ। ਪੁਲਿਸ ਨੂੰ ਲੋਕਾਂ ਦੀ ਮਦਦ ਕਰਨੀ ਚਾਹੀਦੀ ਹੈ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਨਿਆਂ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਨਿਆਂ ਮਹਿੰਗਾ ਹੈ। ਨਿਆਂ ਵਿਚ ਦੇਰੀ ਹੁੰਦੀ ਹੈ। ਸਰਕਾਰ ਨੂੰ ਨਿਆਂ ਨੂੰ ਸਸਤਾ ਕਰਨਾ ਚਾਹੀਦਾ ਹੈ। ਨਿਆਂ ਵਿਚ ਦੇਰੀ ਨੂੰ ਰੋਕਣਾ ਚਾਹੀਦਾ ਹੈ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਜੇਲ੍ਹਾਂ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਜੇਲ੍ਹਾਂ ਵਿਚ ਭੀੜ ਹੈ। ਜੇਲ੍ਹਾਂ ਵਿਚ ਸਹੂਲਤਾਂ ਦੀ ਘਾਟ ਹੈ। ਸਰਕਾਰ ਨੂੰ ਜੇਲ੍ਹਾਂ ਨੂੰ ਸੁਧਾਰਨਾ ਚਾਹੀਦਾ ਹੈ। ਜੇਲ੍ਹਾਂ ਵਿਚ ਸਹੂਲਤਾਂ ਵਧਾਉਣੀਆਂ ਚਾਹੀਦੀਆਂ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਸਮਾਜ ਭਲਾਈ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਸਮਾਜ ਭਲਾਈ ਘੱਟ ਹੈ। ਲੋਕਾਂ ਨੂੰ ਸਮਾਜ ਭਲਾਈ ਦਾ ਲਾਭ ਨਹੀਂ ਮਿਲਦਾ। ਸਰਕਾਰ ਨੂੰ ਸਮਾਜ ਭਲਾਈ ਨੂੰ ਵਧਾਉਣਾ ਚਾਹੀਦਾ ਹੈ। ਨਵੇਂ ਸਮਾਜ ਭਲਾਈ ਕੇਂਦਰ ਬਣਾਉਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਵਾਤਾਵਰਣ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਵਾਤਾਵਰਣ ਪ੍ਰਦੂਸ਼ਿਤ ਹੈ। ਲੋਕਾਂ ਨੂੰ ਸਾਫ ਵਾਤਾਵਰਣ ਨਹੀਂ ਮਿਲਦਾ। ਸਰਕਾਰ ਨੂੰ ਵਾਤਾਵਰਣ ਨੂੰ ਸਾਫ ਕਰਨਾ ਚਾਹੀਦਾ ਹੈ। ਨਵੇਂ ਰੁੱਖ ਲਗਾਉਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਜੰਗਲਾਂ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਜੰਗਲ ਘੱਟ ਹੋ ਰਹੇ ਹਨ। ਜੰਗਲਾਂ ਦੀ ਕਟਾਈ ਹੋ ਰਹੀ ਹੈ। ਸਰਕਾਰ ਨੂੰ ਜੰਗਲਾਂ ਦੀ ਸੰਭਾਲ ਲਈ ਯਤਨ ਕਰਨੇ ਚਾਹੀਦੇ ਹਨ। ਨਵੇਂ ਰੁੱਖ ਲਗਾਉਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਜੰਗਲੀ ਜੀਵਾਂ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਜੰਗਲੀ ਜੀਵ ਘੱਟ ਹੋ ਰਹੇ ਹਨ। ਜੰਗਲੀ ਜੀਵਾਂ ਦਾ ਸ਼ਿਕਾਰ ਹੋ ਰਿਹਾ ਹੈ। ਸਰਕਾਰ ਨੂੰ ਜੰਗਲੀ ਜੀਵਾਂ ਦੀ ਸੰਭਾਲ ਲਈ ਯਤਨ ਕਰਨੇ ਚਾਹੀਦੇ ਹਨ। ਨਵੇਂ ਜੰਗਲੀ ਜੀਵ ਅਸਥਾਨ ਬਣਾਉਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਸਮੁੰਦਰੀ ਜੀਵਾਂ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਸਮੁੰਦਰੀ ਜੀਵ ਘੱਟ ਹੋ ਰਹੇ ਹਨ। ਸਮੁੰਦਰੀ ਜੀਵਾਂ ਦਾ ਸ਼ਿਕਾਰ ਹੋ ਰਿਹਾ ਹੈ। ਸਰਕਾਰ ਨੂੰ ਸਮੁੰਦਰੀ ਜੀਵਾਂ ਦੀ ਸੰਭਾਲ ਲਈ ਯਤਨ ਕਰਨੇ ਚਾਹੀਦੇ ਹਨ। ਨਵੇਂ ਸਮੁੰਦਰੀ ਜੀਵ ਅਸਥਾਨ ਬਣਾਉਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਪੰਛੀਆਂ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਪੰਛੀ ਘੱਟ ਹੋ ਰਹੇ ਹਨ। ਪੰਛੀਆਂ ਦਾ ਸ਼ਿਕਾਰ ਹੋ ਰਿਹਾ ਹੈ। ਸਰਕਾਰ ਨੂੰ ਪੰਛੀਆਂ ਦੀ ਸੰਭਾਲ ਲਈ ਯਤਨ ਕਰਨੇ ਚਾਹੀਦੇ ਹਨ। ਨਵੇਂ ਪੰਛੀ ਅਸਥਾਨ ਬਣਾਉਣੇ ਚਾਹੀਦੇ ਹਨ।

ਸਾਡੇ ਦੇਸ਼ ਵਿਚ ਮੱਛੀਆਂ ਦੀ ਸਮੱਸਿਆ ਵੀ ਬਹੁਤ ਵੱਡੀ ਹੈ। ਮੱਛੀਆਂ ਘੱ

ಸಿದ್ಧಾಪುರ ಸಬ್ ರಿಜಿಸ್ಟ್ರಾರ್

ಇ ಆಕ್ಷೇಪಣೆದಾರರು ಲಿಂಗದಕೈ ಸೀಮೆ ಸಾಗರ ತಾಲೂಕು ಮೇಲಿನ ಹೊಸಬ ಎಂ.

ಕಾಗಲಕೊಪ್ಪ ಸೀಮೆಯಲ್ಲಿ ಹೊಸಬ ಕೆಳಗಿನ ಸೀಮೆಯಲ್ಲಿ ಹೊಸಬ ಎಂಬ

ಮೂರು ಪಟ್ಟಿಗಳಲ್ಲಿ ಸೇರಿದ್ದು ಅವರಲ್ಲಿ ಮೇಲಿನ ಹೊಸಬರು ಮಾತ್ರ

ಈ ಪಟ್ಟಿಗಳಿಗೆ ಸಹಿ ಮಾಡಿದ್ದು ಕೆಳಗಿನ ಹೊಸಬರು ಸಹಿ ಮಾಡಿಲ್ಲ

ಆದ್ದರಿಂದ ಈ ಪಟ್ಟಿಗಳು ಸರಿಯಲ್ಲ —

1 ಸಿದ್ಧಾಪುರ ಸಾಗರ ಸಬ್ ರಿಜಿಸ್ಟ್ರಾರ್ ಆಫೀಸಿನಲ್ಲಿ 1893

ಆಗಿರುವ ಕ್ರಯಪತ್ರ ಸಂಖ್ಯೆ 27ಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ

ಸ್ಥಳಕ್ಕೆ ಹೋಗಿ ಸರ್ವೆ ಮಾಡಿ ವರದಿ ಸಲ್ಲಿಸಲು ಆದೇಶ

ಆಗಿದ್ದು ಸರ್ವೆಯವರು ಸ್ಥಳಕ್ಕೆ ಹೋಗಿ ಸರ್ವೆ ಮಾಡಿ

ಕೊಟ್ಟಿರುವ ವರದಿಯಲ್ಲಿ ಕ್ರಯಪತ್ರದಲ್ಲಿ ಬರೆದಿರುವ ಚೌಹದ್ದಿಗೂ

ಸ್ಥಳದಲ್ಲಿ ಇರುವ ಚೌಹದ್ದಿಗೂ ವ್ಯತ್ಯಾಸ ಇರುವುದಾಗಿ

ತಿಳಿಸಿರುತ್ತಾರೆ ಸರ್ವೆಯವರ ವರದಿಯಲ್ಲಿ ಕ್ರಯಪತ್ರದಲ್ಲಿ

ಬರೆದಿರುವ ಚೌಹದ್ದಿಗೂ ಸ್ಥಳದಲ್ಲಿ ಇರುವ ಚೌಹದ್ದಿಗೂ

ವ್ಯತ್ಯಾಸ ಇರುವುದಾಗಿ ತಿಳಿಸಿರುತ್ತಾರೆ ಸರ್ವೆಯವರ

ਸਾਰਾ ਪੰਨਾ ਹੀ ਸਾਫ਼ ਹੈ ਕੁਝ ਵੀ ਲਿਖਿਆ ਨਹੀਂ ਹੈ

MYSORE DEWAN'S OFFICE.

SECTION Police JUDICIAL DEPARTMENT.

FILE No 44 FN 01885 - 24 15 03.

2 J. Dn.

OFFICIAL MEMORANDUM.

The accompanying Petition ~~No~~
dated 20th April 1903 received at the
Dewan's Office from ~~Timmala~~ Tirumamachar, Anche Rama Rao & other Brahmins of Channagiri Tq
appealing against the order of the Dy.
Magte in the matter of the Kama idol
set up by the Lingayats of the place
contrary to mamool - - - -
is forwarded, together with its eight
enclosures, to the District Magistrate
of Shimoga for resubmission with
the records connected with the
case and a full report of the
facts ~~of the case~~ thereof.

By order,

21/5/03

Secretary.

BANGALORE,
The 27/5/1903

21/5/03

MYSORE GOVERNMENT
GENERAL SECRETARIAT
29 FEB 1904

1293/25

1903-1904

3

FROM

SECTION Political

FILE No. 46 of 1902-3

To

District Magistrate
Shimoga

No. 3

L. Anantasami Rao Esqre
B.A.
Secretary to the Government of Mysore
General and Revenue Dept

Dated 23rd February 1904.

Despatched

Received

General No. 457

No. 33

Enclosure No. 1 file.

Adverting to his ...
Official Memorandum ...
No. 1885 J.M. dated 27th Nov...
1903, I submit a report ...
on the petition of Sriman...
Ramachar, Aiche Rama...
Rao and other Brahmins ...
of Chennagiri Town, appeal...
ing against the order of the ...
District Magistrate in the ...
matter of the Kama idol ...
Set up by the Lingayats ...

No. 45 Enclosure
33

District Magistrate's Court
Shimoga
Dated 23rd February 1904

From,

M. S. Narayana Rao Esquire
District Magistrate,
Shimoga.

To,

L. Anantasami Rao Esquire B.A.
Secretary to the Government of Mysore
General & Revenue Departments

Sir,

Adverting to your official Memorandum No. 1885 J.M. dated 27th May 1903 forwarding for report and submission of the records, the petition of Tammanachar, Anche Ramakka and other Brahmins of Chennagiri Town appealing against the order of the District Magistrate in the matter of the Kama idol set up by the Lingayats of the place, contrary to manual, I have the honour to State as follows:

1. Only the Brahmins of Chennagiri

Seem to have been in the habit of
Setting up the Kama image in a
public manner and taking it out
in procession during the Holi feast.
The Lingayats of Chennagiri have also
from so far back as 1855 been trying
to keep a similar image and the
Chennagiri Brahmins have been opposing
the claims set up by the former.

2. On the complaint of the
Brahmins that the Lingayats had set
up a Kama image in the verandah
of Nanjappa's house in Chennagiri the
the Superintendent of Nagar Division
ordered in his No. 41 dated 22nd March
1856 that the Lingayats should not
be permitted to keep the image as it
was against manul and as the
local enquiry showed that the
Lingayats had not kept any Kama
image for nearly 40 years.

3. There was an attempt to
Compromise the dispute and the
Brahmins not having agreed to

Shew the Lingayats any concession, the marginally noted orders were passed by the Superintendent of the Division which was to the same effect as the order passed in 1856.

1 Order No. 114 dated 2nd October 1856

2 No. 20 dated 5th March 1857

4. At this point the Lingayats seem to have allowed the dispute to drop for nearly 12 years, after which period, they again attempted in 1869 to set up the Kama image and on the report of the Avildar, the then Superintendent ordered in his No. 768 dated 12th March 1869 that the setting up of the Kama images by the Lingayats did not concern the Government and that in case there was any likelihood of the breach of the peace both the parties should be warned that they would be punished.

* Vernacular file bundle 1.

* Vernacular file - bundle

5. Again in 1872, on the * Complaint of the Brahmins that the Lingayats had set up the Kama image against local usage the

then

vernacular file
bundle No 3.

then Assistant Superintendent wrote
to the Amildar of Chemnagiri (order
No 207 dated 20th March 1872) to give
a written order to the Lingayats not
to do anything against manual
and a bond was got executed from
the Lingayats to forfeit Rs 200/-
in case they acted contrary to manual.
During the interval of 20 years
from 1872 to 1892, the Lingayats
seem to have now and then applied
for permission to keep the kamas
image and except on one or two
occasions they were not successful
in their attempts. In 1885 the Lingayats
and others who claimed the privilege
to go in procession in the public
streets of Chennagiri during the time
of the Holi feast and such other
occasions were told that as the
privileges claimed by them were
found to be against manual,
they should get their rights, if they had

Army, established in a competent civil Court (Order No. 2339 dated 29th May 1885). † vernacular file bundle No.

6. In 1892 the Lingayats set up the Kama image in the Pettah and on the complaint of the Brahmins the District Magistrate Mr. Abdul Rahiman ordered in his No. 3309 Dated 20.2.1893 that nothing should be allowed to take place which was contrary to previous orders on the Subject and the parties should be Strictly warned that they would be severely dealt with in case they did anything contrary to orders. † vernacular file bundle No 4

7. In March 1901 also the Lingayats set up a Kama idol in Jawali Ramma's coach-shed and on the complaint of the Brahmins, the Amildar seized the image, removed and kept it in the Taluk Cutcherry and reported the fact to the Office and solicited orders for the restoration

Restoration of the image to the Lingayats.
The Amildar was ordered to give
back the image to the Lingayats
and was further ordered to seek
in future the previous orders of the
District Magistrate before taking
any step in such matters. The image
was accordingly returned to the Lingayats
who tried to celebrate the feast out
of the usual season and on the
complaint of the Brahmins an
injunction was issued under Section
144 Criminal Procedure Code prohibit-
ing the Lingayats from taking the
Kama image in procession out of
the usual season (Criminal Miscellaneous Case No. 19 of 1900-901
on the file of the District Magistrate
of

remarks file
Inside No. 8.

8. In March 1902 the Brahmins petitioned the District Magistrate
that the Lingayats had set up the
Kama image against himself.
Mr. A. Ananda Rao, 1st Assistant
Commissioner

32

:Commissioner and 1st Class Magistrate
to whom the above petition was referred
for disposal after making local
enquiry, ordered in No. 252 dated
3rd April 1902 to the following effect:

remarked file bundle No 9 - 3

The Lingayats contend that
they also have got the right to
keep and worship the Kama
images as the Brahmans. The
place where the Lingayats keep
the images is far and quite
apart from the Brahmin
quarters. The image is kept
in a private coach-shed and
it is not a public place. As
every one has got a right to
worship according to his own
religious belief, it does no
seem proper to prohibit the
Lingayats from worshipping
the Kama images in their
they have been doing. The
local authorities seem to be

right

Lingayats
permission to take the image in
procession as they have not been
given the privilege in previous
years for some reason or other."

2. Against this order, the
Brahmins appealed to the District
Magistrate who in his No. 1045 dated
11th March 1903 upheld the order
of Mr. Ananda Rao and rejected the
appeal as the method of allowing
the Lingayats to keep the image
with certain restrictions and limitations
was on the whole more satisfactory
than the method of total prohibition
which the Brahmins have all along been insisting
upon.

The present dispute between
the Lingayats and Brahmins of
Chennagiri closely resembles the dispute
between the Lingayats and Brahmins
of Holehonnur in which the latter

o vernacular file bundle no 9

took objection to the farmer's keeping the Kamma images in Hoskotte and the latter dispute has been decided of in favour of the Government Order.

12th June 1901.

The enclosures received with your official memorandum under reply and the entire record connected with this case is herewith Submitted. The delay in the Submission of the report is due to some of the vernacular papers connected with this case not having been found earlier.

I have the honour

Sir,

Your Most Obedient Servt

Assistant Collector

District Magistrate

Chingleput

3 Dr 1 S

35

[G.R.S. 28]

SECTION Police

FILE No. 46 of 1902-3

SER'L No. 4

Police

File No. 158 of 02-3

Serial No. 4

Diary No. of letter replied to ——

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

, the 190

Paper under signal No. 1.

Date of issue 25-1-05

Signed by Lt. Sn. Shama Rao

READ.—

Correspondence ending with letter No. 952/706 dated the 9th May 1903, from the District Magistrate of the Shimoga District, submitting a report on the petition of Venkamachar and other Brahmins of Holehonnur, appeal-

~~ORDER THEREON.—No.~~

ing against the order of the District Magistrate permitting the Lingayats of that place to set up an image of Kama in a private house contrary to Manu.

2. Correspondence ending with

over

SUBJECT

Paper under despatch
No. 2

ation No. 457/83 dated the 23rd
ebruary 1904, from the Same Officer,
ubmitting a report on the petition of
Linmannachar and other
rahmins of Shimoga, appealing
gainst a similar order of the
District Magistrate, passed in connection with
e Kama idol set up by the
ingayats in one of the Stables in
he Petta of that place.

Order thereon No. 2017-26 d/2
P.7.158 of 02-03-4/2

In their main facts
e two cases before Government bear
close resemblance to each
ther. The right to set up a Kama
age in public view and to
ake it in procession round the
treets is being enjoyed by the Brah-
min Community of Holehonnur and
Shimoga from time immemorial.
Since 1855, the Lingayats
tried to assert from time to time

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

a similar right, but their endeavours were opposed by the Brahmins and ~~were being~~ discountenanced by the Magistracy.

2. In March 1899, however, the Lingayats of Holehonnur having represented that they might be allowed to keep a Rama image in a private house separated from the public road by a Compound wall, the then District Magistrate, Mr. H.V. Nanjundayya, granted them permission to do so with certain restrictions and with due safeguard to prevent any breach of the peace. The Brahmins appealed to Govt. against this order of the District Magistrate, which was referred to him for report. In reply he stated that though the ~~Lingayats~~ what the Lingayats sought to achieve was an innovation he saw no reason why they should be debarred from enjoying in this novel manner so long as they did not interfere with the right and comforts of their neighbours and that as the

[illegible] appeal from the case
correcting to the sentiments of their
opponents the case could not be satis-
-factorily ~~[illegible]~~ disposed of by a Compro-
-mise. This was recorded in Govt
Order No. ~~G~~ 1650-~~G~~1650 dated the
12th June 1901, but no endorsement
was given to the ~~appellants~~ peti-
-tioners who have ~~[illegible]~~ there-
-fore again appealed ~~to~~ against
the District Magistrate's order on
the ground that it is opposed to
manual and the previous orders
passed in the matter from time
to time.

Flag D.
S.No. 9 of G.F 22 of 1899-1900.

3. Coming now to the Shanna-
-giri Kama case, it appears that
on the Lingayats setting up a Kama
image in the petta in 1892, the
then District Magistrate, Mr Abdul
Rahman, passed an order in February
1893 that nothing should be allowed
to take place which was contrary
to previous order. The Lingayats having
again set up an image of Kama in
the early part of the year 1902, the Brah-
-mins preferred a complaint to the
District Magistrate of Shimoga in
March 1902, who referred the matter
to the Assistt Commissioner & 1st class Magte,
Mr Ananda Rao for local enquiry and

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

deposed the Cases observed that the image was kept in a private Coach-Shed and that as every one had a right to worship according to his own religious beliefs, it was not proper to prohibit the Lingayats from worshipping the Rama image in the manner they had been doing, though the right to take the image in procession could not be recognized. The Brahmins preferred an appeal to the Dt. Magistrate, Mr. Puttanna Chetty, who rejected the same, as he considered that the method of allowing the Lingayats to keep the image with certain restrictions and limitations was on the whole more satisfactory than the method of total prohibition which the Brahmins had been all along insisting upon. The Brahmins of Channagiri hence now appealed to Government against the order of the District Magistrate.

4. These two cases depend upon how a right and a custom are understood regarding

the legal significance of which there is little room for doubt. The Brahmin Community in this instance possess two distinct ordinary rights, viz.,
(I) the right to worship Kama and
(II) the right to take it in procession in their town or village i.e. to the free use of the public highway. To such rights there is the corresponding obligation, viz, that others coming in Contact with their exercise are legally bound to refrain from obstructing the free exercise of such rights. Applying this principle to the Lingayat Community, it is found that the Lingayats cannot do any act inconsistent with the free enjoyment of the rights possessed by the Brahmins, but that they do possess, as much as any other community the right to keep and worship Kama, if it is in accordance with their creeds, since none has a right to exclude that of the others for worshipping Kama and as such exercise of right does in no way affect that possessed and enjoyed by the Brahmins. There, therefore, arises no conflict of rights. The fact that the Lingayats have not peacefully and Continuously exercised this right cannot, it is observed, be contended to create a custom or Customary rul

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

against the Linigayats. "When certain persons have by common consent purposely followed a certain rule and have by acts or forbearances (Consuetudo affirmative, negativa) recognized such rule as binding on them, there arises from this Common will so evidenced, a law which obliges every individual who can be reckoned as one of these persons". This rule is said to be Customary law provided the rule satisfies other recognised conditions. Post the facts in the present Cases establish beyond all doubt that the Linigayats have, as a class, been striving hard for a number of years to set up a Kama. and to take it in processin other Land

5. On the Contrary, the right to take Kama in processin stands on a somewhat different footing. The Linigayats cannot exercise this right in such a manner as to affect the fair exercise of a similar right by the Brahmins. Barring this, the former are entitled by virtue of their ordinary right to conduct religious processins through public streets

that they do not interfere with the ordinary use of such streets by the public and subject to such directions the Magistrates may lawfully give prevent obstructions of the thoroughfare or breaches of the public peace.

6. These principles have often been recognized in ~~the decisions of the~~ many of the important decisions of the High Court of Madras in such cases and the most recent policy of Government these matters which has been enunciated in their Orders in the Judicial Department, Nos: 3516-24 and 4007 dated the 17th May & the 26th June 1924 respectively is ~~not inconsistent~~ in consonance with the views expressed in the above paragraphs.

7. Lastly it is important to note that the facts of the two cases in question do not touch in any manner the principles laid down in para 8 of ~~the~~ Government Order No. 109-D.H.O dated the 27th February 1893. It is a deviation from Manual or customary right that is discouraged therein, and what the Sringeris now claim does not affect in any mode the unfettered exercise of such right earned by the Brahmins. Still more important

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

than this is the consideration that the right claimed by the Lingayats is one which can be asserted without proof of usage and therefore, under para 8 of the order of 1893, a proof of usage would be immaterial in order to establish it. The Government observe that this portion of the order confines itself to Manual and has no application, whatever, to cases where general or ordinary or natural rights — Expressions used in one and the same sense — are in question. The right of the Lingayats, as already pointed out, is a natural or ordinary right and not a right derived from Manual or Custom, and does not therefore impose any restrictions on the rights, natural & customary, possessed by the Brahmins. The present cases, therefore, fall under clause (a) of para 8 of the order of 17 February 1893.

8. In these circumstances, and considering the fact that the privilege which the Brahmins claim is not a

it is a negative one of placing another community under a permanent disability not founded upon any royal license of exclusiveness or any exclusive custom, the Government of His Highness the Maharaja are of opinion that the contention of the Brahmins is unreasonable and cannot be accepted; and their appeals are accordingly rejected.

Rec
20-1-05

Print

Secre

The Deputy Commissioner, Shimoga Dt, returning the Vernacular records.
" Deputy Commissioners of other districts.
" Insp. General of Police in Mysore.
" Mizrai Secretary to Govt.

14-1-05
16-1-05

Copied GS. 24/1/05.
Examined. SN 24-1-05

~~245~~

Serial No. 5

45

SECTN No. 2027 MYSORE ~~DEWAN'S OFFICE~~, Jud. Genl & Rev. Secy

DEPTL No. 4 b of 1902-3 ~~JUDICIAL DEPARTMENT~~,

5. The 25th Jany 1905.

ENDORSEMENT GRANTED TO Thirumanachar and other Brahmins of Shemagire Town, Shimoga District

in reply to their Petition Registered No. 2405 dated 20th April appealing against the order of the Deputy Commissioner of Shimoga permitting the Lingayats of their place to keep an image of Kama in a private house contrary to Manu.

Petitioners are informed that after a careful examination of the facts of the case and of the rights of Brahmins & Lingayats to set up an image of Kama Government have come to the decision that the claim of the Brahmins is unreasonable & cannot be acceded to.

Their appeal is accordingly rejected.

By Order,

20.1.'05 23.1.'05

Secretary.

Sent ~~Dft~~ 24/1/05

Signed SR 24/1/05

SR 16/1/05